**SECTION 1269** 

1	565.01 (4d) "Minority business" means a business certified by the departmen	
2	of commerce safety and professional services under s. 560.036 490.04 (2).	
3	<b>SECTION 1270.</b> 565.01 (4e) of the statutes is amended to read:	
4	565.01 (4e) "Minority group member" has the meaning given in s. 560.036	
5	<u>490.04</u> (1) (f).	
6	SECTION 1271. 601.93 (2) of the statutes is amended to read:	
7	601.93 (2) Every insurer doing a fire insurance business in this state shall,	
8	before March 1 in each year, file with the commissioner a statement, showing the	
9	amount of premiums upon fire insurance due for the preceding calendar year.	
10	Return premiums may be deducted in determining the premium on which the fire	
11	department dues are computed. Payments of quarterly installments of the total	
12	estimated payment for the then current calendar year under this subsection are due	
13	on or before April 15, June 15, September 15 and December 15. On March 1 the	
14	insurer shall pay any additional amounts due for the preceding calendar year.	
15	Overpayments will be credited on the amount due April 15. The commissioner shall,	
16	prior to May 1 each year, report to the department of commerce safety and	
17	professional services the amount of dues paid under this subsection and to be paid	
18	under s. 101.573 (1).	
19	<b>Section 1272.</b> 610.70 (1) (a) of the statutes is amended to read:	
20	610.70 (1) (a) "Health care provider" means any person licensed, registered,	
21	permitted or certified by the department of health services or the department of	
22	regulation and licensing safety and professional services to provide health care	
23	services, items or supplies in this state.	

**Section 1273.** 632.10 (1) of the statutes is amended to read:

632.10 (1) "Building and safety standards" means the requirements of chs. 101
and 145 and of any rule promulgated by the department of commerce safety and
professional services under ch. 101 or 145, and standards of a 1st class city relating
to the health and safety of occupants of buildings.

**Section 1274.** 704.05 (5) (a) 2. of the statutes is amended to read:

addressed to the tenant's last-known address, of the landlord's intent to dispose of the personal property by sale or other appropriate means if the property is not repossessed by the tenant. If the tenant fails to repossess the property within 30 days after the date of personal service or the date of the mailing of the notice, the landlord may dispose of the property by private or public sale or any other appropriate means. The landlord may deduct from the proceeds of sale any costs of sale and any storage charges if the landlord has first stored the personalty under subd. 1. If the proceeds minus the costs of sale and minus any storage charges are not claimed within 60 days after the date of the sale of the personalty, the landlord is not accountable to the tenant for any of the proceeds of the sale or the value of the property. The landlord shall send the proceeds of the sale minus the costs of the sale and minus any storage charges to the department of administration for deposit in the appropriation under s. 20.143 (2) 20.490 (7) (h).

SECTION 1275. 709.03 (form) C. 8. of the statutes is amended to read:

**709.03** (form)

1	C. 8. I am aware of underground or aboveground fuel
2	storage tanks on the property. (If "yes", the owner, by law, may have to register the tanks
3	with the department of commerce safety and
4	professional services at P.O. Box 7970, Madison, Wisconsin, 53707, whether the tanks are in use
5	or not. Regulations of the department of com-
6	merce safety and professional services may require the closure or removal of unused tanks.
18	<b>Section 1276.</b> 893.925 (2) (a) of the statutes is amended to read:
1 <sup>8</sup>	893.925 (2) (a) An action to recover damages for mining-related injuries under
12	s. 107.32 shall be brought within 3 years of the date on which the death or injury
13	occurs unless the department of commerce safety and professional services gives
14	written notice within the time specified in this subsection that a claim has been filed
15	with it under sub. (1), in which case an action based on the claim may be brought
16	against the person to whom the notice is given within one year after the final
17	resolution, including any appeal, of the claim or within the time specified in this
18	subsection, whichever is longer.
19	Section 1277. 895.07 (13) of the statutes is amended to read:
20	895.07 (13) Brochure. The department of commerce safety and professional
21	services shall prepare a brochure explaining the process under this section and shall
22	provide that brochure to contractors.
23	SECTION 1278. 895.441 (5) of the statutes is amended to read:
24	895.441 (5) SILENCE AGREEMENTS. Any provision in a contract or agreement
25	relating to the settlement of any claim by a patient against a therapist that limits
26	or eliminates the right of the patient to disclose sexual contact by the therapist to a
27	subsequent therapist, the department of regulation and licensing safety and

**SECTION 1278** 

professional services, the department of health services, the injured patients and
families compensation fund peer review council, or a district attorney is void.

**Section 1279.** 938.78 (2) (g) of the statutes is amended to read:

938.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing information about an individual in its care or legal custody on the written request of the department of regulation and licensing safety and professional services or of any interested examining board or affiliated credentialing board in that department for use in any investigation or proceeding relating to any alleged misconduct by any person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457. Unless authorized by an order of the court, the department of regulation and licensing safety and professional services and any examining board or affiliated credentialing board in that department shall keep confidential any information obtained under this paragraph and may not disclose the name of or any other identifying information about the individual who is the subject of the information disclosed, except to the extent that redisclosure of that information is necessary for the conduct of the investigation or proceeding for which that information was obtained.

**Section 1280.** 940.20 (7) (a) 3. of the statutes is amended to read:

940.20 (7) (a) 3. "Health care provider" means any person who is licensed, registered, permitted or certified by the department of health services or the department of regulation and licensing safety and professional services to provide health care services in this state.

SECTION 1281. 940.207 (title) of the statutes is amended to read:

940.207 (title) Battery or threat to department of commerce safety and professional services or department of workforce development employee.

1	<b>SECTION 1282.</b> 940.207 (2) (intro.) of the statutes is amended to read:
2	940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
3	cause bodily harm to the person or family member of any department of commerce
4	safety and professional services or department of workforce development official
5	employee or agent under all of the following circumstances is guilty of a Class H
6	felony:
7	Section 1283. 940.207 (2) (a) of the statutes is amended to read:
8	940.207 (2) (a) At the time of the act or threat, the actor knows or should have
9	known that the victim is a department of commerce safety and professional services
10	or department of workforce development official, employee or agent or a member of
11	his or her family.
12	SECTION 1284. 940.22 (1) (a) of the statutes is amended to read:
13	940.22 (1) (a) "Department" means the department of regulation and licensing
14	safety and professional services.
15	<b>Section 1285.</b> 961.01 (20g) of the statutes is amended to read:
16	961.01 (20g) "Public housing project" means any housing project or
17	development administered by a housing authority, as defined in s. $560.9801234.5601$
18	(2).
19	<b>Section 1286.</b> 961.36 (1m) of the statutes is amended to read:
20	961.36 (1m) At the request of the department of regulation and licensing safety
21	and professional services or a board, examining board or affiliated credentialing
22	board in the department of regulation and licensing safety and professional services,
23	the controlled substances board shall provide advice and assistance in matters
24	related to the controlled substances law to the department or to the board, examining

poard or affiliated credentialing board in the department making the request for
idvice or assistance.

**SECTION 1287.** 978.05 (6) (b) of the statutes is amended to read:

978.05 (6) (b) Enforce the provisions of all general orders of the department of commerce safety and professional services relating to the sale, transportation and storage of explosives.

## Section 9110. Nonstatutory provisions; Commerce.

- (1) Housing assistance transfer.
- (a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the Wisconsin Housing and Economic Development Authority.
- (b) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, is transferred to the Wisconsin Housing and Economic Development Authority.
- (c) Contracts. All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the Wisconsin Housing and Economic Development Authority. The Wisconsin Housing and Economic Development Authority shall carry out any obligations under

- such a contract until the contract is modified or rescinded by the Wisconsin Housing and Economic Development Authority to the extent allowed under the contract.
  - (2) Transfer of business assistance programs.
- (a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, shall become the assets and liabilities of the department of safety and professional services.
- (b) Employee transfers. All positions and all incumbent employees holding those positions in the department of commerce performing duties primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of safety and professional services.
- (c) *Employee status*. Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

- (d) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, is transferred to the department of safety and professional services.
- (e) Contracts. All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of safety and professional services to the extent allowed under the contract.
- (f) Rules and orders. All rules promulgated by the department of commerce that relate to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, that are in effect on the effective date of this subsection, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued

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- by the department of commerce relating to such business certifications or grants that are in effect on the effective date of this subsection remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.
- on the effective date of this paragraph that is primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of commerce with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.
- (3) Transfer of the divisions of safety and buildings and environmental and regulatory services.
- (a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, shall become the assets and liabilities of the department of safety and professional services.
- (b) Employee transfers. All positions and all incumbent employees holding those positions in the department of commerce performing duties primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of

administration, are transferred on the effective date of this paragraph to the department of safety and professional services.

- (c) *Employee status*. Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.
- (d) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, is transferred to the department of safety and professional services.
- (e) Contracts. All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of safety and professional services to the extent allowed under the contract.
- (f) Rules and orders. All rules promulgated by the department of commerce that are in effect on the effective date of this paragraph and that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of

administration, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the department of commerce that are in effect on the effective date of this paragraph and that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

- on the effective date of this paragraph that is primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of commerce with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.
- (4) Transfer of Certain administrative positions from the department of Commerce.
- (a) The positions, and the incumbent employees holding those positions, in the division of administrative services in the department of commerce that the secretary of administration determines shall be transferred to the department of safety and professional services, are transferred on the effective date of this paragraph.
- (b) Employees transferred under paragraph (a) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department

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- of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.
  - (5) REALLOCATION OF FUNDING WITHIN THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES.
    - (a) In this subsection:
- 7 1. "Schedule" means the schedule under section 20.005 of the statutes, as affected by this act.
  - 2. "Secretary" means the secretary of administration.
  - (b) Before July 1, 2013, the secretary may transfer moneys from any appropriation under section 20.165 of the statutes, as affected by this act, to any other appropriation under section 20.165 of the statutes, as affected by this act, and may increase or decrease the amounts shown in the schedule for any appropriation under section 20.165 of the statutes, as affected by this act, if necessary to reallocate funding in accordance with the transfer of functions or personnel from the department of commerce to the department of safety and professional services, except that the secretary may not adjust the amounts shown in the schedule in a manner so that the total amounts appropriated under the adjusted appropriations exceed the total amounts shown in the schedule for those appropriations on the effective date of this act. The secretary shall submit a report to the joint committee on finance before July 1, 2013, that identifies the actions taken by the secretary under this subsection.
    - (6) ECONOMIC DEVELOPMENT TRANSFER.
  - (a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the

- department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the Wisconsin Economic Development Corporation.
- (b) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal property, including records, transferred to the department of agriculture, trade and consumer protection under subsection (7) (a) and except the tangible personal property, including records, transferred to the department of administration under subsection (8) (b), as determined by the secretary of administration, is transferred to the Wisconsin Economic Development Corporation.
- (c) Contracts. All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the Wisconsin Economic Development Corporation. The Wisconsin Economic Development Corporation shall carry out any obligations under such a contract until the contract is modified or rescinded by the Wisconsin Economic Development Corporation to the extent allowed under the contract.
  - (7) Dairy manufacturing facility investment credit; transfer.
- (a) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department of commerce with respect to

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section 560.207, 2009 stats., a	s determined by the secretary of administration, is
transferred to the department	of agriculture, trade and consumer protection.

- (b) *Rules*. All rules promulgated by the department of commerce under section 560.207 (4), 2009 stats., that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of agriculture, trade and consumer protection.
  - (8) RURAL HOSPITAL LOAN GUARANTEE: TRANSFER.
- (a) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department of commerce with respect to section 231.35, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration.
- (b) *Rules*. All rules promulgated by the department of commerce under section 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of administration.

## Section 9135. Nonstatutory provisions; Natural Resources.

- (1) Commercial construction site erosion control.
- (a) In this subsection, "commercial building site" means a building site for construction of public buildings and buildings that are places of employment.
- (b) All rules promulgated by the department of natural resources under section 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that are in effect on the effective date of this paragraph, as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All

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- orders issued by the department of natural resources that are in effect on the effective date of this paragraph and that are primarily related to erosion control for commercial building sites, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.
- (c) Any matter pending with the department of natural resources on the effective date of this paragraph that is primarily related to its commercial building site erosion control responsibilities under section 281.33 (3m), 2009 stats., as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of natural resources with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.
- (d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats., made by the department of natural resources to a county, city, village, or town that is in effect on the effective date of this paragraph remains in effect until revoked by the department of safety and professional services.

## Section 9153. Nonstatutory provisions; Veterans Affairs.

- (1) STATE APPROVAL AGENCY DESIGNATION.
- (a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of veterans affairs primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, shall become the assets and liabilities of the department of safety and professional services.

(b) *Employee transfers*. All positions, and the incumbent employees holding those positions, in the department of veterans affairs performing duties primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of safety and professional services.

- (c) *Employee status*. Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of veterans affairs immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.
- (d) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of veterans affairs that is primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, is transferred to the department of safety and professional services.
- (e) Contracts. All contracts entered into by the department of veterans affairs in effect on the effective date of this paragraph that are primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of safety and professional services to the extent allowed under the contract.

- affairs that are in effect on the effective date of this paragraph and that are primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the department of veterans affairs that are in effect on the effective date of this paragraph and that are primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.
- (g) Pending matters. Any matter pending with the department of veterans affairs on the effective date of this paragraph that is primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of veterans affairs with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.

## SECTION 9210. Fiscal changes; Commerce.

(1) ECONOMIC DEVELOPMENT TRANSFER. The unencumbered balances in the appropriation accounts under section 20.143 (1) (a), (b), (bk), (bt), (c), (cf), (d), (dr), (e), (em), (er), (ew), (fi), (fj), (fy), (g), (gc), (gh), (gm), (gv), (h), (hm), (hr), (ie), (ig), (io), (ir), (jp), (k), (kb), (kc), (kf), (kg), (kh), (kj), and (kt) of the statutes are transferred to the appropriation account under section 20.192 (1) (k) of the statutes.

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5	(END)
4	(1) (m) of the statutes.
3	(o) of the statutes are transferred to the appropriation account under section 20.192
2	balances in the appropriation accounts under section 20.143 (1) (m), (mr), (n), and
1	(2) ECONOMIC DEVELOPMENT TRANSFER; FEDERAL MONEYS. The unencumbered